

Message Text

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C O N F I D E N T I A L MOSCOW 764

EXDIS

E.O. 11652: XGDS-4
TAGS: PINT, UR
SUBJECT: TVERDOKHLEBOV'S TRAIL

REF: 75 MOSCOW 18501,

1. SUMMARY. SOVIET DISSIDENT ANDREY TVERDOKHLEBOV'S TRIAL WILL NOT TAKE PLACE UNTIL AFTER THE CPSU CONGRESS. ALTHOUGH HE WILL PROBABLY BE TRIED UNDER ARTICLE 190-1 OF THE RSFSR CRIMINAL CODE, THE REAL AIM OF THE TRIAL IS TO ENABLE THE KGB TO DESTROY TOTALLY THE SOVIET CHAPTER OF AMNESTY INTERNATIONAL. THEREFORE THE PROSECUTION WILL "THROW THE BOOK" AT TVERDOKHLEBOV. THE KGB IS CURRENTLY ENGAGED IN A SERIES OF MANEUVERS DESIGNED TO INTIMIDATE AND BRIBE TVERDOKHLEBOV'S POTENTIAL DEFENDERS. ALTHOUGH HIS COLLEAGUES IN AMNESTY AND HIS FRIENDS FEAR FOR THEMSELVES AS MUCH AS FOR TVERDOKHLEBOV, THEY INTEND TO ATTEMPT TO SECURE AS NEARLY FAIR A TRIAL AS POSSIBLE. THEY WILL USE ALL MEANS AVAILABLE TO AROUSE WESTERN PRESSURE TO INFLUENCE THE SOVIET GOVERNMENT. THEY INTEND TO CONTINUE TO KEEP THE SOVIET CHAPTER OF AMNESTY ALIVE FOR AS LONG AS POSSIBLE. END SUMMARY6

2. THIS TELEGRAM GIVES THE HIGHLIGHTS OF AN AIRGRAM IN WHICH WE REPORT INFORMATION ABOUT ANDREY TVERDOKHLEBOV'S CASE AND ABOUT THE SOVIET CHAPTER OF AMNESTY INTERNATIONAL. THE INFORMATION WAS PROVIDED TO US BY VLADIMIR ALBEREKHT AT CONSIDERABLE PERSONAL RISK. ALBEREKHT IS A FRIEND OF TVERDOKHLEBOV'S AND AN AMNESTY
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MEMBER. HE IS COORDINATING TVERDOKHLEBOV'S DEFENSE. IT IS

ESSENTIAL THAT BOTH THE INFORMATION AND ITS SOURCE BE CLOSELY PROTECTED TO KEEP ALBREKHT OUT OF JEOPARDY.

3. ACCORDING TO ALBREKHT, THE KGB HAS BEEN ORDERED TO POSTPONE THE TRIAL UNTIL AFTER THE CPSU CONGRESS. ALBREKHT FEELS THAT THIS DECISION RESULTED FROM THE ADVERSE WESTERN PUBLICITY ENGENDERED BY THE KOVALEV TRIAL. THE KGB IS NOT UNHAPPY SINCE THIS ALLOWS THEM TIME TO "IMPROVE" THE CASE AGAINST TVERDOKHLEBOV. WHILE IT IS NOT YET TOTALLY CLEAR THAT TVERDOKHLEBOV WILL BE TRIED UNDER ARTICLE 190-1 OF THE RSFSR CRIMINAL CODE, IT IS EXTREMELY LIKELY. THIS ARTICLE DEALS WITH THE DISSEMINATION OF ORAL OR PRINTED MATTER DEFAMATORY OF THE SOVIET STATE AND SOCIAL SYSTEMS, AND THE MAXIMUM PENALTY IS CONFINEMENT UP TO THREE YEARS. THIS IS NOT THE ARTICLE UNDER WHICH KOVALEV WAS TRIED AND SENTENCED TO SEVEN YEARS CONFINEMENT AND THREE YEARS IN EXILE.

4. AS PART OF THE TRIAL PREPARATIONS, ALBREKHT SAYS, THE KGB HAS BEEN APPROACHING POTENTIAL DEFENSE WITNESSES AND, USING A MIXTURE OF THREATS AND BRIBES, HAS TRIED TO PREVENT THEM FROM EVENTUALLY TESTIFYING ON TVERDOKHLEBOV'S BEHALF. THE KGB HAS ALSO TRIED TO GUN DOWN SOME OF THESE PEOPLE TO TESTIFY FOR THE PROSECUTION. IN ONE CASE, A MAN WAS ARRESTED AND OFFERED THE FOLLOWING CHOICES: TESTIFY FOR THE PROSECUTION, IN WHICH CASE HE WOULD RECEIVE PERMISSION TO RESIDE IN MOSCOW AND A JOB; TESTIFY FOR NEITHER SIDE, IN WHICH CASE HE WOULD BE FREED BUT NOT ALLOWED TO MOVE FROM SVERDLOVSK AND NOT BE ALLOWED TO GET OTHER THAN A MENIAL JOB; OR CONTINUE HIS PLAN TO TESTIFY FOR THE DEFENSE. IN THE LATTER CASE THE FULL RIGOR OF THE LAW (ARTICLE 190-1) WOULD BE UNLEASHED UPON HIM.

5. ALBREKHT REPORTS THAT HE FEELS THAT THE SOVIET AUTHORITIES ARE DETERMINED TO STAMP OUT THE SOVIET CHAPTER OF AMNESTY INTERNATIONAL. THIS IS THE REAL REASON FOR BRINGING TVERDOKHLEBOV TO TRIAL. ACCORDING TO THIS ANALYSIS, THE AUTHORITIES CANNOT ACCEPT THE CONCEPT THAT AMNESTY BE ALLOWED TO EXIST. ALBREKHT EXPLAINED THAT THE NATURE OF THE ORGANIZATION, ESPECIALLY THE FACT THAT ITS CHAPTERS "ADOPT" POLITICAL PRISONERS, WAS ONE THAT INTRIGUED THE AUTHORITIES FOR A TIME, ESPECIALLY WHEN ONE OF THOSE "ADOPTED" BY THE SOVIET CHAPTER WAS A MAN INCARCERATED IN FRANCO'S SPAIN. FINALLY, HOWEVER, THE AUTHORITIES DECIDED THAT

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SUCH FREE-THINKING WAS "EXCEPTIONALLY DANGEROUS" FOR SOVIET SOCIETY. THEY HAVE DETERMINED TO EXTIRPATE AMNESTY INTERNATIONAL IN THE USSR.

6. ALBREKHT SAYS THAT HE DOUBTS THAT THE KGB WILL STOP AFTER HAVING BROUGHT ABOUT THE TRIAL AND CONVICTION OF TVERDOKHLEBOV. HE SAYS THAT HE EXPECTS TO BE ARRESTED AFTER THE TVERDOKHLEBOV TRIAL. HE ADDS THAT VLADIMIR TURCHIN AND OTHERS EXPECT TO BE

ARRESTED TOO. HE SEES NO REASON, HOWEVER, TO STOP THE UNEQUAL
CONTEST. HE PLANS TO USE ALL AVAILABLE MEANS TO SEEK TO PUT
PRESSURE ON THE SOVIET AUTHORITIES TO MODERATE THEIR BEHAVIOR.
IN PARTICULAR, ALBREKHT HOPES TO MOBILIZE PUBLIC OPINION IN THE
WEST, NOT JUST THROUGH AMNESTY CHAPTERS, BUT ALSO THE MOSCOW
FOREIGN PRESS CORPS.
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